

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

Habeas Corpus Petition
In re: RYAN STEPHEN SAMSEL,
an inmate of the Metropolitan Detention Center
Brooklyn, New York,
suffering untreated medical emergency

vs.

COLETTE S. PETERS, DIRECTOR,
FEDERAL BUREAU OF PRISONS
Federal Bureau of Prisons
320 First St., NW
Washington, DC 20534
Switchboard Phone: (202) 307-3198
Serve: General Counsel James Wills

and

Warden, METROPOLITAN DETENTION
CENTER – BROOKLYN,
FEDERAL BUREAU OF PRISONS
80 29th Street (Kings County)
Brooklyn, New York 11232
Switchboard: (718) 840-4200

and

RONALD L. DAVIS, DIRECTOR
U.S. MARSHALL'S SERVICE
1215 S. Clark Street
Arlington, Virginia 22202
Switchboard Phone: (202) 307-9100
Serve: General Counsel Lisa Dickinson

and

THOMAS N. FAUST, DIRECTOR,
ATTN Andrew Mazzuchelli Dep. General Counsel
DEPARTMENT OF CORRECTIONS
OF THE DISTRICT OF COLUMBIA
3924 Minnesota Avenue, N.E. – 2nd Floor
Washington, D.C. 20019

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Civil Action No. **AUG 05 2024** ★

1:24-cv-05026-BPK-BK
BROOKLYN OFFICE

**MOTIONS FOR
TEMPORARY
RESTRAINING ORDERS**

PETITION FOR HABEAS
CORPUS RELIEF

FROM
LIFE-THREATENING OR
DANGEROUS
CONDITIONS
EXPERIENCED IN 19
DIFFERENT FACILITIES
OF THE FEDERAL
BUREAU OF PRISONS BY
DENIAL OF MEDICATION
AND MEDICAL CARE
ORDERED BY DOCTORS

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and

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ATTORNEY GENERAL
AS HEAD OF THE
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950 Pennsylvania Avenue NW
Washington DC 20530
Switchboard Phone: (202) 514-2000

with

Further Service upon the UNITED STATES OF
AMERICA, through BREON PEACE, Esq.
U.S. ATTORNEY FOR THE EASTERN
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ATTN: CIVIL DIVISION
271 Cadman Plaza East
Brooklyn NY 11201
Switchboard: 718-254-7000

MOTIONS FOR TEMPORARY RESTRAINING ORDERS

The Petitioner Ryan Samsel hereby moves the Court to issue several temporary restraining orders with or without hearing or preliminary injunctions.

The Court is asked to order --

1. That this Court prohibit the U.S. Marshall's Service, Federal Bureau of Prisons, and/or the U.S. Department of Justice generally from interfering with this Court's ability to take jurisdiction of this case and consider the issues by transferring Ryan Samsel to a different prison in a different city. In the past, the Respondents have transferred Samsel 28 times among 19 different prisons, always just before Samsel was about to receive the medical care he needs. The Court should order that the

Respondents not attempt to “moot” this Court’s authority by moving Samsel to a different city. Ryan Samsel has been informally informed (it is never certain) that he is likely to be moved around August 7, 2024.

2. That Ryan Samsel be immediately examined by doctors qualified in the area or in each of the areas necessary to independently determine what if any urgent care Ryan Samsel requires to preserve his health while the Court considers this case and to independently confirm that Petitioner requires the medical care, possibly reported as to short-term versus medium term actions required. Ryan Samsel specifically reports how the BOP has played games at every stage to frustrate and prevent his receiving medical care. Therefore, he asks that he be transported to a hospital that will not be influenced by the Respondents.
3. That the Respondents locate and disclose any and all medical records, notes, evaluations, etc. that the Petitioner reports kept disappearing during each of his 28 moves among 19 different Bureau of Prisons facilities.

To avoid duplication and additional paper, Petitioner relies upon his Petition for Habeas Corpus and his Petition for Mandamus and incorporates the facts and details presented therein as the grounds now for this motion, being the same.

Specifically,

- (a) Ryan Samsel is obviously as set forth in great detail at risk of medical harm and damage to his health and even death – as determined by many doctors, which presents irreparable harm, and time is of the essence,
- (b) there is no burden or harm to the Respondents, particularly where
 - (i) it was already their duty to allow Ryan Samsel to access

medical care,

(ii) particularly where the medical care was scheduled before Ryan Samsel was arrested and charged and therefore is beyond all question in need of the medical care ordered by many doctors,

(iii) the Respondents have spent almost 3 ½ years shuttling Ryan Samsel around to disrupt and avoid him accessing medical care and disrupting his doctor-ordered blood-thinner medication to avoid blood clots

(iv) although typically inmates in the government's care are provided health care as part of their custodial responsibilities, Ryan Samsel did a staggering amount of work to locate and line up the various medical professionals needed in each of the locations where the Respondents shuffled him around, starting again from scratch, Ryan Samsel would seek donations for the medical care he requires and/or seek coverage under the Affordable Care Act established by the Obama Administration.

(c) The burden to the Petitioner of risking death or damage to his health, including disability from a blood clot causing a stroke outweighs the burden to the Respondents with regard to these particular requested orders.

(d) Widespread reports of similar cavalier disregard of the health of prison inmates regardless of the affiliations or contexts of their charges is in the public interest to ensure that the Bureau of Prisons and its facilities cannot

deny medical care to inmates who would be free to take action themselves if they were not incarcerated. The U.S. Constitution including the Eighth Amendment and Fifth Amendment permit terms of imprisonment for proven criminal misconduct, but prohibit physical torture as punishment including by denying medical care. No prisoner's health or physical well-being can be any part of punishment.

Dated: July 30, 2024

Respectfully submitted,

RYAN SAMSEL

Ryan Samsel, *Pro Se*
Signed by direction
Inmate # 28332-509 Metropolitan
Detention Center – Brooklyn
80 (space) 29th Street,
Brooklyn, New York 11232
Ryan.Samsel@hotmail.com
Telephone: (518) 510 8895

Certificate of Service

A copy of this motion has been mailed to all Respondents by first-class U.S. mail, postage prepaid.

RYAN SAMSEL

Ryan Samsel, *Pro Se*
Signed by direction

NEWS > CRIME AND PUBLIC SAFETY

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Brooklyn federal jail staffers must get their own lawyers for court hearing about inmate's missed meds



The Metropolitan Detention Center in Brooklyn. (AP Photo/John Minchillo)



By JOHN ANNESE | JANNESE@nydailynews.com | New York Daily News
PUBLISHED: May 22, 2024 at 6:05 p.m. | UPDATED: May 22, 2024 at 6:14 p.m.

Five staffers at Brooklyn's troubled Metropolitan Detention Center federal jail will have to get their own private defense lawyers for a potentially explosive hearing about whether they lied about not giving an inmate all of his medicine.

The hearing comes after Brooklyn Federal Court Judge LaShann DeArcy Hall put a Bureau of Prisons attorney on the hot seat earlier this month, grilling the lawyer on who "lied" about whether MDC inmate Jonathan Goulbourne received his entire antibiotic regimen.

The hearing was scheduled for Thursday, but the government asked for a delay after DeArcy Hall highlighted another problem: How can the jail's staff members all be represented by the Department of Justice if they face criminal exposure, and if their interests and testimony may be in conflict with each other and with the BOP?

DeArcy Hall and other federal judges have long complained about conditions at the Sunset Park jail, where inmates and defense lawyers regularly describe perpetual lockdowns, lack of proper medical treatment, indifferent and cruel correction officers, maggot-infested meals and other problems.

After a bruising court conference on May 1 where she called the BOP to task over Goulbourne's medical treatment, DeArcy Hall required five of the jail's staff members to appear before her at an evidentiary hearing.



United States Senate Committee on the Judiciary
Judge LaShann DeArcy Hall (United States Senate Committee on the Judiciary)

The staffers — assistant health services administrator Blake Glucksnis, clinical director Bruce Bailor, attorney Elizabeth Lynch, Lt. Stedman Ferguson, and registered nurse Marilyn Garcia — were being represented by the DOJ.

Goulbourne's lawyer, Noam Biale, pointed out in a letter Sunday that Glucksnis and Lynch might have competing interests after it came out at the May 1 conference that Glucksnis provided "false information" to Lynch "concerning the provision of antibiotics to Mr. Goulbourne by the MDC medical staff."

Still, during a phone conference Tuesday, Assistant U.S. Attorney Dara Olds said she didn't know of any conflicts of interest in the case.

"When the interest of those witnesses diverges from the interest of the MDC, we will make them aware of that," Olds said.

But DeArcy Hall pushed back, and demanded that each of the five talk to an independent lawyer before they decide to waive any potential conflicts.

"They need to be advised, but not by you," she said.

On Wednesday, with the hearing fast approaching, government lawyers asked for a

Goulbourne's appendix burst on April 14, and jail staff ignored him for several hours before sending him to a hospital, according to his lawyer. He returned to the hospital with prescriptions for painkillers and antibiotics, but a weekend lockdown and a problem with a missing ID cut him off from his painkillers.

After the lockdown ended, Goulbourne was thrown into the jail's segregated housing unit after an encounter with a nurse, and lost access to the last few doses of his antibiotic regimen.

When Goulbourne's lawyer Noam Biale asked about the medication, he was told, falsely, that Goulbourne had taken all five days of the antibiotic. But when DeArcy Hall got involved, she got a different response — jail staff was still looking for the rest of his meds.

That led to the May 1 meeting, where DeArcy Hall grilled Bureau of Prisons lawyer Sophia Papapetru and made her admit that she got bad info about whether Goulbourne had gotten all his medicine.

"I have all the time in the world today. We're going to take a 10-minute recess. I would like to know who was it on the medical staff that lied to you," she said, after a tense back and forth.

After the recess, Papapetru gave up names, saying that Lynch, the MDC lawyer, got "false information" from Glucksnis, one of the health staffers, according to court documents.

A spokesman for the Bureau of Prison said the agency "does not comment on ongoing investigations or on matters pending before the court."

Biale declined comment Wednesday.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA,

v.

CHRISTOPHER WORRELL,

Defendant.

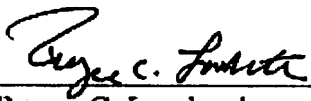
Case No. 1:21-cr-292-RCL

ORDER

For the reasons stated in open court, it is **ADJUDGED** that the Warden of the D.C. Jail Wanda Patten and Director of the D.C. Department of Corrections Quincy Booth are in civil contempt of court. The Clerk of the Court is **ORDERED** to transmit a copy of this order this order to the Attorney General of the United States for appropriate inquiry into potential civil rights violations of January 6 defendants, as exemplified in this case. Assistant United States Attorney William K. Dreher can provide appropriate records from this case.

IT IS SO ORDERED.

Date: 10/13/21



Royce C. Lamberth
United States District Judge

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Certificate of Service

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Switchboard: 718-254-7000

CERTIFICATE OF SERVICE OF SUMMONS AND HABEAS CORPUS
PETITION UPON RESPONDENTS

Pursuant to Federal Rules of Civil Procedure Rule 4(i)(1) and (2), the Petitioner Ryan Samsel has caused through his Attorney-in-Fact under his Power of Attorney Rachael Genco of Levittown, Pennsylvania, the service of copies of (1) the summons issued by the Clerk, (2) the Civil Filing Cover Sheet, (3) the Petition in this case, and attachments largely consisting of his medical records – which he intentionally desires to be on file with the court and even public to prevent repeats of the games played by the Bureau of Prisons to evade allowing him to access medical care -- on all of the Respondents / Defendants and upon the United States pursuant to Rule 4(i) through the U.S. Attorney for the Eastern District of New York.

It should be noted that Rule 4(i) regarding service upon a U.S. Government agency by certified mail through the U.S. Postal Service is permitted and provided, presumably for the benefit to the U.S. Government of not having private process servers roaming the halls of U.S. Government official buildings to serve officers of the U.S. Government by providing a more orderly process. Thus there is a mutual benefit to security of official buildings as well as accessibility to litigants.

Accordingly, all of the Defendants have been served as of this July 30, 2024, by U.S. Priority Mail service category, certified with verification of receipt, postage prepaid. The U.S. Attorney for the Eastern District has been provided an additional copy for service upon the United States of America by the same method.

Dated: July 30, 2024

Respectfully submitted,

RYAN SAMSEL

Ryan Samsel, *Pro Se*
Signed by direction
Inmate # 28332-509 Metropolitan
Detention Center – Brooklyn
80 (space) 29th Street,
Brooklyn, New York 11232
Ryan.Samsel@hotmail.com
Telephone: (518) 510 8895

I swear that the foregoing facts and circumstances of service by the U.S. mail are true and correct to the best of my knowledge, information, and belief as clerical assistance to the incarcerated inmate.



Jonathon A. Moseley

(703) 656-1230
Contact@JonMoseley.com

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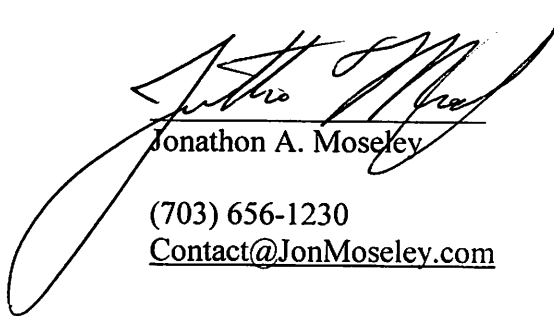
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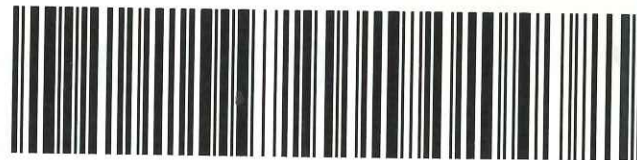
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